



0000056222

ORIGINAL

30mo

BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

RECEIVED

WILLIAM MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC SPITZER

Commissioner

DOCKETED

OCT 22 2002

2002 OCT 22 P 4: 34

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

CM

IN THE MATTER OF THE APPLICATION OF)
CITIZENS COMMUNICATIONS COMPANY,)
ARIZONA GAS DIVISION, FOR A HEARING)
TO DETERMINE THE FAIR VALUE OF ITS)
PROPERTIES FOR RATEMAKING PURPOSES,)
TO FIX A JUST AND REASONABLE RATE OF)
RETURN THEREON, AND TO APPROVE RATE)
SCHEDULES DESIGNED TO PROVIDE SUCH)
RATE OF RETURN.)

Docket No.E-01032A-02-0598

**STAFF'S REQUEST TO
MODIFY PROCEDURAL
ORDER**

The Utilities Division Staff ("Staff") of the Arizona Corporation Commission ("Commission") hereby requests that the procedural scheduling dates included in the Procedural Order issued on October 18, 2002 be modified for the following reasons.

Prior to receiving the October 18, 2002 Procedural Order, Staff, Counsel for Citizens Communications' Gas Division ("Citizens" and "Applicant"), and Counsel for Residential Utility Consumer Office ("RUCO" and an "Intervener") (collectively referred to as "the Parties") discussed procedural scheduling. Following the Parties' discussions, Staff and RUCO reached an agreement on a purposed schedule ("Attachment") to which Citizens did not object. Staff believes this schedule accommodates all the Parties discussed needs and concerns.¹

Staff requests that the current procedural schedule be modified to accommodate the purposed procedural schedule in the Attachment.

Staff points out that the purposed schedule provides that both Staff and the Interveners shall file their Direct Testimony within 180 days from the date the Application was found sufficient. Conversely, the current Procedural Order provides that the Hearing shall begin on the 180th day from the date of sufficiency. Staff believes that it is both appropriate and necessary for Staff and the Interveners to be provided a 180 day time frame for filing their Direct Testimony included in the

¹ This schedule is attached to this filing and labeled "Jointly Purposed Procedural Schedule".

1 Attachment.

2 Staff believes that the Arizona Administrative Code ("AAC") indicates the appropriateness of
3 Staff's request for a 180 day time frame for filing Direct Testimony. AAC Rule R14-2-103 (B) (11)
4 (b) (i), provides:

5 Unless otherwise ordered by the Commission, the **staff shall file** its
6 Staff Report and / or testimony within the following number of days
7 from the date that a filing is accepted pursuant to subsection (B)(7):

8 (i) For Class A utilities, **within 180 days.**

9 (Emphasis added.)

10 This section indicates that a 180 day time frame for Direct Testimony is the standard unless
11 the Commission finds unique circumstances that warrant a deviation. The instant Application is a
12 complex filing in which Staff will need the aide of consultants. If this Application warrants any
13 deviation from the 180 days, it would be for additional time rather than approximately half of the
14 standard 180 day time frame.

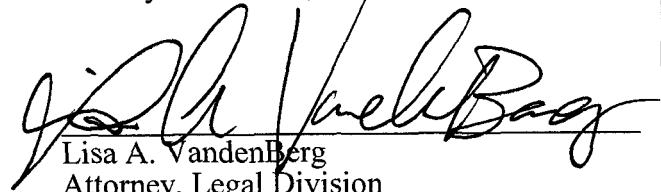
15 Staff further notes that the 180 day time frame is necessary in this particular case. As stated
16 above, this is a complex filing. The Applicant's last rate increase application for the Northern
17 Arizona operations was in 1997 and for the Santa Cruz operations in 1988. Staff will need the aide
18 of consultants to effectively process this Application. Staff has sent out a request for Proposals
19 ("RFP") in order to retain consultants in this matter and is still in the process of selecting and
20 retaining any consultants on this case. Given the necessary time required, Staff would suffer a great
21 hardship if Direct Testimony is due prior to the standard 180 day time frame indicated in the rule.

22
23
24
25
26
27 ...

28 ...

1 For the reasons stated above, Staff respectfully requests that the Procedural Order issued on
2 October 18, 2002, is amended to reflect the attached procedural schedule.

3 RESPECTFULLY SUBMITTED this 22nd day of October, 2002.

4
5
6 

Lisa A. Vandenberg
Attorney, Legal Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007
Telephone: (602) 542-3402
Fax: (602) 542-4870
lvandenberg@cc.state.az.us

7
8
9
10 Original and fifteen (15) copies were filed
this 22nd day of October, 2002 with:

11 Docket Control
12 Arizona Corporation Commission
13 1200 West Washington Street
Phoenix, Arizona 85007

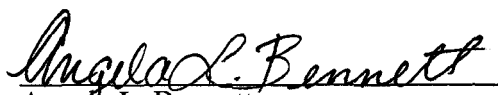
14 Copies of the foregoing were mailed/faxed
this 23rd day of October, 2002 to:

15 Deborah Scott
16 Associate General Counsel
17 Citizens Communications Company
2901 North Central Avenue, Suite 1660
Phoenix, Arizona 85012

18 Gary Smith
19 Vice President and General Manager
20 Citizens Communications Company
2901 West Shamrell Blvd., Suite 110
Flagstaff, Arizona 86001

21 Raymond Mason
22 Director, Corporate Regulatory Affairs
23 3 High Ridge Park
Stamford, Connecticut 06905

24 Scott Wakefield, Esq.
25 RUCO
1110 West Washington Street, Suite 220
Phoenix, Arizona 85007

26
27 
28 Angela L. Bennett

**JOINTLY PURPOSED PROCEDURAL SCHEDULE
CITIZENS COMMUNICATIONS CO. – ARIZONA GAS DIVISION RATES
DOCKET NO. G-01032A-02-0598**

Staff's & Intervenor's Direct Testimony due in Docket Control*	Monday	4/14/03
Company Rebuttal*	Tuesday	5/13/03
Staff & Intervenor's Surrebuttal*	Monday	6/2/03
Company Rejoinder *	Monday	6/16/03
Hearing	Tuesday	6/24/03
to	Wednesday	7/09/03
Open Meeting (Suggested)	Tuesday	10/7/03

*** The Parties shall file testimony on or before 4 or 5 pm of the deadline date listed above. As well, the Parties shall provide same day delivery (hard copy or e-mail) of testimony when filed.**